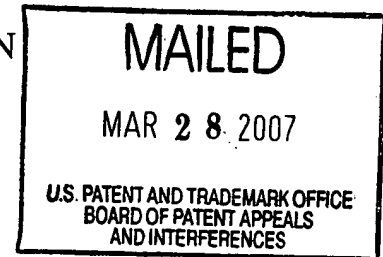


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte HOWARD ALLEN COLVIN
and
SUN LIN CHEN

Application No. 10/021,200



ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences (hereinafter the "Board") on January 3, 2007. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner. The matters requiring attention prior to docketing are identified below:

On September 28, 2006, a merits panel of the Board mailed a Remand to the Examiner wherein the panel directed the Examiner to further consider a ground of rejection advanced on appeal. On October 13, 2006, the Examiner entered an Examiner's Answer in response to the Board's Remand. Appellants responded by filing a Reply Brief on December 13, 2006. A


Application No. 10/021,200

review of the electronic record reveals that the Examiner has not responded to Appellants' Reply Brief filed on December 13, 2006.

Accordingly, it is

ORDERED that the application is returned to the Examiner for responding to Appellants' Reply Brief filed on December 13, 2006, and for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: 

PATRICK J. NOLAN
Deputy Chief Appeal Administrator
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PJN:clj

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